

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 7650-AG09-0211-039

IN THE MATTER OF:

Charlene Johnson,  
M.A.T. Insurance, LLC

Respondents,

1352 Lafayette Ave.  
Terre Haute, IN 47804

Type of Action: Enforcement

License Numbers 2670220, 544976

**FILED**

MAR 09 2009

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER AND APPROVAL**

The Indiana Department of Insurance ("Department") and Charlene Johnson and M.A.T. Insurance, LLC, (collectively, "Respondents") signed an Agreed Entry which purports to resolve all issues involved in the above cause number. Respondent Johnson is the Qualifying Active Officer of Respondent M.A.T. Insurance, LLC. The Agreed Entry has been submitted to the Commissioner of Insurance (the "Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioner of Insurance:

1. Respondents failed to submit a completed application for insurance on behalf of Larry Joy. Respondents erroneously applied the premium payment associated with said application to a pre-existing policy which carried a higher deductible that Mr. Joy was then required to pay upon suffering a covered claim.
2. Respondents shall pay to Larry Joy the sum of five hundred dollars (\$500.00) by certified check or money order. Payment shall be sent by certified mail, and the tracking number of the certified mail package shall be e-mailed by Respondents to [drose@idoi.in.gov](mailto:drose@idoi.in.gov) when the package is sent.
3. Respondents shall pay an administrative fine in the amount of two thousand five hundred dollars (\$2,500.00) payable to the state of Indiana.
4. Payment to Mr. Joy and the administrative fine referenced herein will be due to the respective parties within thirty (30) days of execution of this Final Order.

ALL OF WHICH IS ORDERED this 9 day of March, 2009.



James Atterholt, Commissioner  
Indiana Department of Insurance

Distribution:

Charlene Johnson, M.A.T. Insurance, LLC  
1352 Lafayette Ave.  
Terre Haute, IN 47804

Nikolas P. Mann  
**INDIANA DEPARTMENT OF INSURANCE**  
311 West Washington Street, Suite 300  
Indianapolis, Indiana 46204-2787

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**AGREED ENTRY**

This Agreed Entry is executed by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Indiana Department of Insurance ("Department"), and Charlene Johnson and M.A.T. Insurance, LLC (collectively, "Respondents"). Respondent Johnson is the Qualifying Active Officer of Respondent M.A.T. Insurance, LLC. Each Respondent holds a resident producer's license in the state of Indiana. This Agreed Entry is subject to the review and approval of James Atterholt, Commissioner of the Indiana Department of Insurance.

WHEREAS, Respondents hold resident producer licenses 2670220 and 544976;  
and,

WHEREAS, the Department received a complaint from Larry Joy ("Joy") alleging that Respondents failed to process an application for homeowner's insurance; and,

WHEREAS, Joy was insured with Metlife Insurance Company ("Metlife") through Respondents' agency; and,

WHEREAS, on June 18, 2008, Joy completed a homeowner's insurance application with AAA Insurance Company ("AAA") and paid a full year's premium with the intent of replacing the existing Metlife policy; and,

WHEREAS, an investigation into the complaint revealed that AAA never received the above-referenced application, and the premium Joy paid was misapplied to the Metlife policy; and,

WHEREAS, the AAA policy carried a deductible of \$500.00; and,

WHEREAS, the Metlife policy carried a deductible of \$1000.00 for most losses; and,

WHEREAS, on or about July 22, 2008, Joy suffered a loss requiring the use of his homeowner's policy; and,

WHEREAS, upon attempting to file a claim with AAA through Respondents, Joy learned that he was still insured with Metlife; and,

WHEREAS, Metlife handled Joy's claim under claim number FRC63344; and,

WHEREAS, Joy was subject to a \$1000.00 deductible, which was \$500.00 more than he expected to pay; and,

WHEREAS; Respondents' conduct as alleged herein is in violation of Indiana Code 27-1-15.6-12 (b)(8); and,

WHEREAS, the parties conversed prior to an administrative hearing for the purpose of negotiating a settlement of the issues in the above cause number; and

WHEREAS, the Department and Respondents desire to resolve their differences and settle the issues without a hearing;


IT IS THEREFORE NOW AGREED by and between the parties as follows:

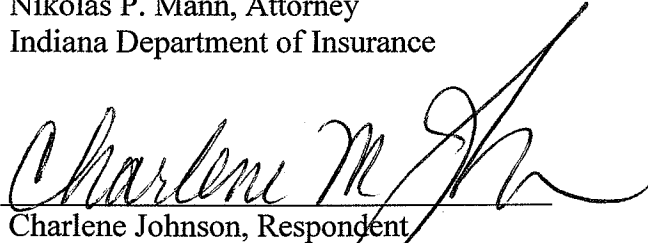
1. The Commissioner has jurisdiction over the subject matter of and the parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondents voluntarily and freely waive their right to a public hearing on the issues in the above cause number.
4. Respondents voluntarily and freely waive their right to petition for judicial review of this agreement and the Commissioner's Final Order.
5. Respondents shall pay to Larry Joy the sum of five hundred (\$500.00) dollars by certified check or money order. Payment shall be sent by certified mail, and the tracking number of the certified mail package shall be e-mailed by Respondent to [drose@idoi.in.gov](mailto:drose@idoi.in.gov) when the package is sent.
6. Respondents shall pay an administrative fine in the amount of two thousand five hundred dollars (\$2,500.00) payable to the state of Indiana.
7. Payment to Mr. Joy and the administrative fine referenced herein will be due to the respective parties within thirty (30) days of execution of a Final Order adopting this agreement.

8. Respondent has carefully read and examined this agreement and fully understands its terms.

3/5/09  
Date Signed

3/4/09  
Date Signed

  
Nikolas P. Mann, Attorney  
Indiana Department of Insurance

  
Charlene Johnson, Respondent  
Individually and as Qualifying Officer of  
M.A.T. Insurance, LLC.

STATE OF INDIANA )

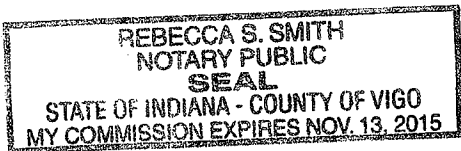
COUNTY OF )

) SS:

Before me a Notary Public for Vigo County, State of Indiana,

personally appeared Charlene Johnson and being first duly sworn by me upon his/her oath, says that the facts alleged in the foregoing instrument is true.

Signed and sealed this 4<sup>th</sup> day of March 2009, ~~2013~~.



Rebecca S. Smith  
Signature

Rebecca S. Smith  
Printed

My Commission expires: Nov. 13, 2015

County of Residence: Vigo